



State of Ohio Environmental Protection Agency

Northwest District Office

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Bob Taft, Governor  
Bruce Johnson, Lieutenant Governor  
Joseph P. Koncelik, Director

November 15, 2006

Mr. Dudley P. Frame, Junior  
Richland Moulded Brick Company  
P.O. Box 754  
Anniston, Alabama 36202

**RE: Notice of Violation (NOV)**  
**Richland Moulded Brick Company**  
**OHD 000 011 221**  
**Richland County**  
**Hazardous Waste**

Dear Mr. Frame:

On July 20, 2006, Amber Hicks and I, representing the Ohio Environmental Protection Agency (Ohio EPA), attempted to conduct a hazardous waste compliance evaluation inspection at the former Richland Moulded Brick Company (RMB) located at 1000 Richland Shale Road, in Mansfield, Ohio. Upon arriving at the site, Ohio EPA found the facility to be closed and was unable to gain access to the site.

On October 5, 2006, Dawn Pleiman and I conducted a hazardous waste closure certification inspection. This closure certification inspection was completed to verify the status of the units undergoing closure at the site. During the site visit, a storage area containing various sized drums, laboratory chemical containers, and soil staining was discovered at Plant 1 (the portion of the former property still owned by RMB). Ohio EPA spoke with Mr. William Geier about the status of the site and the drums that were unexpectedly encountered during the closure certification inspection. This letter will explain the Ohio Administrative Code (OAC) violation observed during the inspection.

RMB formerly manufactured molded brick products. During the 1990's, RMB patented a process to recover the metals from electric arc furnace (EAF) dust (K061) and use the recovered metals in the brick products. It is currently unknown when RMB ceased operations at Plant 1. However, Plant 2, which was part of the original RMB property, is currently owned by ProServices USA, LLC doing business as Artisan Moulded Brick, LLC. RMB has taken responsibility to close Plant 1 and the hazardous waste units at Plant 2. Therefore, the hazardous waste units at Plant 1 and Plant 2 are currently going through hazardous waste closure. The following were found at Plant 1 on RMB's property during the October 5, 2006, site visit:

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Mr. Dudley P. Frame, Jr.  
November 15, 2006  
Page Two

- approximately thirty (30) 55-gallon drums of unknown substances, some of which were labeled with hazardous waste labels, some of which were open, some of which were labeled "waste oil", one which was labeled "Bag House Dust", and one which was labeled "Antifreeze";
- approximately fifteen medium sized drums, some of which contained a grease type substance;
- approximately forty five (45) 5-gallon buckets; one (1) which was labeled "Rando Hydraulic AZ"
- one (1) super sak filled with unknown contents;
- approximately ten (10) laboratory chemical containers, one labeled "purifier box ash waste, Niagara Mohawk Power Company";
- an area of soil around these drums that was stained.

The following is a summary of the violation observed and noted during the closure certification inspection on October 5, 2006:

1. **OAC Rule 3745-52-11 Waste Evaluation**

Any person who generates a waste must evaluate the waste to determine if the waste is a hazardous waste in accordance with the criteria set forth in OAC Chapter 3745-51.

RMB has failed to determine if drums of waste on-site at RMB were a hazardous waste. At the time of the inspection, there were approximately thirty (30) 55-gallon drums, fifteen (15) medium sized drums, forty five (45) 5-gallon buckets, one (1) super sak and ten (10) laboratory chemical containers of unknown waste on RMB's property.

In order to correct this violation, RMB must send Ohio EPA a sampling and analysis plan (SAP) within thirty (30) days of receipt of this letter and complete waste evaluations of all of the unknown containers of waste on-site. In addition, RMB must provide detailed information on how this waste was generated and how long it has been on site.

The SAP should outline how RMB will evaluate the wastes in the drums on-site to determine if they are characteristic or listed hazardous waste as required by OAC Rule 3745-52-11. The waste should be sampled for toxicity leaching characteristic procedure (TCLP) Resource Conservation and Recovery Act (RCRA) metals, volatile organic compounds, semi-volatile organic compounds, flash point, and pH. The SAP should describe such items as the sample acquisition methods, number of samples and locations/drums to be sampled, constituents of concern (COCs) to be analyzed for in each sample, analytical methods used on each sample, the laboratory to be utilized, the method of disposal for both hazardous and non-hazardous wastes, and a proposed schedule of SAP activities including a date that sampling will take place. Ohio EPA should be given the opportunity to thoroughly review the SAP prior to the sampling event and the SAP should state that at least five (5) days notice will be given to Ohio EPA prior to sampling.

Mr. Dudley P. Frame, Jr.  
November 15, 2006  
Page Three

RMB can find copies of the rules and other information on the division's web page at <http://www.epa.state.oh.us/dhwm>.

If RMB has any questions, please call me at 419-373-3065.

Sincerely,



Kara Reynolds  
Division of Hazardous Waste Management

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cc: William Geier, Senior, Richland Moulded Brick, Mansfield, Ohio  
David Strayer, The Payne Firm, Cincinnati, Ohio  
Jim Kavalec, DHWM, CO  
Colleen Weaver, DHWM, NWDO  
Cindy Lohrbach, DHWM, NWDO  
~~Kara Reynolds, DHWM, NWDO~~  
DHWM NWDO File: Artisan Moulded Brick 2005-

ec: John Pasquarette, DHWM, NWDO  
Ed Merriman, DHWM, NWDO  
Dawn Pleiman, DHWM, NWDO

<p><b>NOTICE:</b> Ohio EPA's failure to list specific deficiencies or violations in this letter does not relieve your company from having to comply with all applicable regulations.</p>
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